

## R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

### CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claim 21 under 35 U.S.C. §102(a) as being anticipated by Gotz et al. (German Patent No. 19946200A1) is respectfully traversed and should be withdrawn.

Gotz discloses a circuit with a PFD and a VCO (FIG. 1 of Gotz).

Claim 21 provides a lock circuit that may be configured to generate a lock signal in response to an external input separate from the PLL. A PLL may also be configured to select a reference frequency as (i) the input frequency when in a first mode and (ii) a divided frequency of the reference frequency when in a second mode, where either the first or second mode is selected in response to the lock signal. Gotz does not disclose or suggest such a lock signal generated in response to an external input separate from the PLL, as presently claimed.

In particular, the output of the circuit US of Gotz is not an external input separate from the PLL. The input to the circuit US receives a signal from the phase detection (PFD), which is part of the PLL of Gotz. Therefore, Gotz does not respond to an external signal separate from the PLL, as presently claimed. As

such, Gotz does not disclose or suggest each and every element of the presently claimed invention and the rejection should be withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claims 1-4, 6 and 9-20 under 35 U.S.C. §103 as being unpatentable over Gotz is respectfully traversed and should be withdrawn.

In contrast, claims 1, 15 and 16 provide a first mode that selects a reference frequency as an input frequency wherein a first mode and one of a plurality of divided frequencies of the reference frequency when in a second mode. Either the first mode or the second mode is selected in response to a multi-bit lock signal. The divided frequency is adjustable in response to the multi-bit lock signal. Gotz does not appear to disclose or suggest such an adjustable divided frequency in response to a multi-bit lock signal.

In particular, FIG. 1 of Gotz at best discloses selecting the first input of the multiplexer or the second input of the multiplexer as a reference frequency presented to the PFD. The first input is shown moving through the /5 divider block, which provides a **fixed division** of the signal. The /5 divider block of Gotz does not appear to have any inputs for making adjustments. Therefore, Gotz does not disclose or suggest selecting (i) a

reference frequency or (ii) one of a plurality of divided frequencies that are adjustable in response to the multi-bit lock signal, as presently claimed. At best, the reference input of Gotz selects between two frequencies, the reference of the divided reference (through FT4). The present invention selects between the reference frequency and one of a plurality (two or more) of divided frequencies. In total, the present invention selects between at least 3 possible frequencies as an input frequency. FIGS. 7 and 8 and the corresponding description in the specification provide support for such a configuration. As such, the present invention is fully patentable over the cited reference and the rejection should be withdrawn.

Despite the contention in the Office Action, multi-channel dividers and/or a multi-bit lock signal are not inherent in Gotz. Applicant's representative traverses such a suggestion. Inherency requires certainty of results, not mere possibility. See, e.g., *Ethyl Molded Products Co. v. Betts Package, Inc.*, 9 U.S.P.Q. 2d 1001 (E.D.Ky 1988). Claims 2-4, 6, 9-14 and 17-20 depend, directly or indirectly, from the independent claims which are now believed to be allowable.

As such, the presently claimed invention is fully patentable over the cited references and the rejection should be allowable.

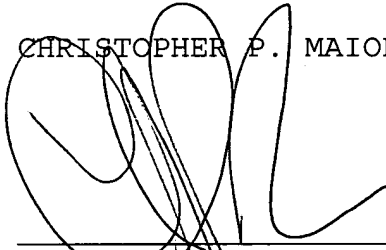
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge our office Account No. 50-0541.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.

A handwritten signature in black ink, appearing to read 'C. P. Maiorana', is written over a horizontal line.

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